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May 17, 2022

Chief Judge Barbara M. G. Lynn
United States District Court
for the Northern District of Texas
1100 Commerce Street, Room 1572
Dallas, Texas 75242-1003

Re: *Association of Club Executives of Dallas, Inc., et al. v. City of Dallas*
Civil Action No. 3:22-CV-00177-M

Dear Chief Judge Lynn:

Counsel for the Plaintiffs in the above-referenced cause are in receipt of the May 16, 2022 Letter to the Court [ECF No. 42] (the "Letter") filed by the City of Dallas (the "City"). Though Plaintiffs take no issue with the City notifying the Court of its desire to commence enforcement of the subject ordinance on May 26, 2022, as that was consistent with the Court's instructions, Plaintiffs do take issue with the extraneous, unsupported statements contained in the Letter.

Therefore, Plaintiffs respectfully object to the information contained in the Letter beyond the mere notification of the City's desire to enforce the subject ordinance on a date certain. Specifically, Plaintiffs object to the City's attempt to submit additional evidentiary assertions concerning four alleged incidents claimed by the City to be related to sexually oriented businesses. No documents or other data have been produced to Plaintiffs by the City concerning these allegations. Plaintiffs also object because of the prejudicial nature of such surprise assertions that Plaintiffs have had no opportunity to review, rebut or investigate.

Accordingly, as the evidence is closed as to the preliminary injunction hearing, the Letter is not a proper vehicle for reopening the evidentiary hearing on the pending motion.

Thank you for your consideration of this letter.

Respectfully submitted,

/s/ J. Michael Murray

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served via email (pursuant to consent for electronic service) on all counsel of record the 17th day of May, 2022.

/s/J. Michael Murray
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One of the attorneys for Plaintiffs